

Notice of Allowability

Application No.

10/702,145

Examiner

Jimmy T Nguyen

Applicant(s)

BOBREN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/5/03.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 12/06/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Mitchell J. Weinstein on February 16, 2005.

The application has been amended as follows:

In claim 1, line 15:

After the word "each", the following words have been added --- **of the height adjustment assemblies** ---.

In claim 1, line 18:

The words " at adjacent corners of the work surface," have been deleted.

In claim 1, line 19:

After the word "assemblies", the following words have been added --- **at adjacent corners of the work surface** ---.

In claim 1, line 22:

The words "longitudinally movable along the adjusting rod" have been replaced with --- **such that the adjusting rod moved longitudinally along the engaging member** ---.

In claim 1, line 23:

The words "the engaging member being mounted to the frame" have been replaced with - **each engaging member being mounted to the leg assembly of its adjusting rod** ---.

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In claim 9, line 1:

Numeral reference "8" has been replaced with --- 1 ----.

In claim 12, line 11:

The words " at adjacent corners of the work surface," have been deleted.

In claim 12, line 12:

After the word "assemblies", the following words have been added --- **at adjacent corners of the work surface** ---.

In claim 12, lines 15-16:

The words "longitudinally movable along the adjusting rod" have been replaced with --- **such that the adjusting rod moved longitudinally along the engaging member** ---.

In claim 12, line 16:

The words "the engaging member being mounted to the frame" have been replaced with - **each engaging member being mounted to the leg assembly of its adjusting rod** ---.

In claim 18, line 1:

Numeral reference "17" has been replaced with --- **12** ----.

Drawings

The drawings filed on November 05, 2003 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftsperson's Patent Drawing Review," PTO-948. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The art of record, considered alone or in combination, neither anticipates nor renders obvious a strapping machine having leg assemblies comprising: *first and second height adjustment assemblies mounting a frame of the strapping machine to the leg assemblies, each of the height adjustment assemblies configured to raise and lower a portion of a work surface of the strapping machine relative to a fixed portion of the leg assemblies, each height adjustment assembly including a pair of adjusting rods lying along a respective side of the frame, the adjusting rods operably connecting the work surface and the leg assemblies at adjacent corners of the work surface, each adjusting rod being secured to the leg assemblies by a support to restrain longitudinal movement and to provide rotational freedom relative to the leg assemblies and the frame, each adjusting rod being engaged with an engaging member such that each adjusting rod moved longitudinally along the engaging member, each engaging member being mounted to the leg assembly of its connecting rod such that rotation of the adjusting rod raises or lowers the work surface relative to the leg assemblies*, in combination with the rest of the claimed limitations.

US patent 6,415,712 to Helland et al. teaches a strapping machine with adjustable legs (214).

US 3,627,241 to Santirocco teaches a height adjustment assembly (fig. 3) for adjusting a work surface (29) of a projected image viewing apparatus. Santirocco does not teach leg

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assemblies having first and second height adjustment assemblies in a structural arrangement as claimed in claims 1 and 12.

US 3,938,766 to Herbolsheimer et al. teaches a height adjustment assembly (fig. 2) for adjusting a platform (94) of a typewriter. Herbolsheimer does not teach leg assemblies having first and second height adjustment assemblies in a structural arrangement as claimed in claims 1 and 12.

None of the references by themselves or in combination with the other prior art cited teach the claimed invention set forth in claims 1 and 12.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

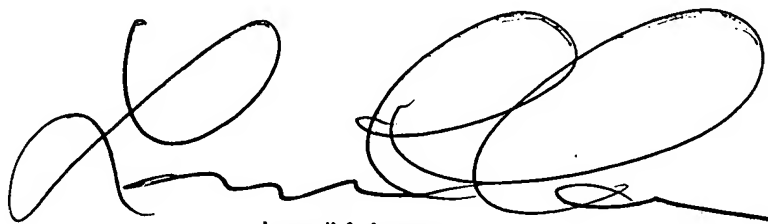
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T Nguyen whose telephone number is (571) 272-4520. The examiner can normally be reached on Mon-Thur 8:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTNguyen
February 16, 2005

A handwritten signature in black ink, consisting of a series of loops and a horizontal line at the bottom.

Lowell A. Larson
Primary Examiner